

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Martire COLUMBIE-Cantillo

COB: CUBA

YOB: 1964

Defendant

) Case No. M-19-1283-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 06/03/2019 in the county of Hidalgo in the Southern District of Texas, the defendant violated 18 U. S. C. § 111, an offense described as follows:

Whoever—(1) forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties

This criminal complaint is based on these facts:

See attachment A.

Continued on the attached sheet.

Approved *Mike Miller*
6-4-19

Complainant's signature

Eddie A. Ramirez, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 6/4/19 - 8:29 a.m.

Judge's signature

Juan F. Alánis, U.S. Magistrate Judge

Printed name and title

City and state: McAllen, Texas

Attachment A

On June 3, 2019, Cuban Citizen Martire COLUMBIE-Cantillo, attempted to elude U.S. Customs and Border Protection (CBPO) Officers at the Hidalgo, Texas Port of Entry (POE). The CBP Officers were engaged in their official duties at the POE, and were outfitted in their official CBP uniforms which identify the officers as U.S. Customs and Border Protection. COLUMBIE jumped over a government barrier that separates pedestrians from vehicular traffic and attempted to run from Mexico into the United States after CBP Officer's repeated commands to stop. A CBP Officer attempted to physically stop COLUMBIE, which resulted in a physical altercation. The CBP Officer began to grapple and grab COLUMBIE; COLUMBIE and the Officer fell to the ground. While on the ground, COLUMBIE struck the Officer with his elbows, gave several air strikes with his hands, and delivered a head strike with his head to a second officer that also attempted to detain COLUMBIE. Several more commands were given by both CBP Officers to "stop resisting," COLUMBIE continued to ignore the commands. Upon the arrival of a third CBP Officer, Officer's were able to physically restrain COLUMBIE and place him in handcuffs.

CBP Officers assisted COLUMBIE to his feet, several steps later, COLUMBIE attempted to flee a second time. CBP Officer's again began to issue verbal commands to stop resisting. CBP Officer's were able to physically subdue COLUMBIE, who was still in handcuffs, a second time. After his failed attempt to elude CBP Officers from an immigration inspection, COLUMBIE stated he was a Cuban National who was seeking asylum. CBP Officers escorted COLUMBIE to secondary passport control.

HSI McAllen Special Agents arrived to the Hidalgo POE to investigate the event. CBP Officer's provided written statements of their encounter.

COLUMBIE was taken to the hospital for medical evaluation where he was interviewed by HSI Special Agents. COLUMBIE was read his Miranda Rights and invoked his right to counsel.